



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,585	01/13/2000	David G. Hangauer JR.	19226/931 (R-5495)	7206

7590

09/30/2002

Michael L. Goldman
Nixon Peabody LLP
Clinton Square
P. O. Box 31051
Rochester, NY 14603-1051

EXAMINER

FRIEND, TOMAS H F

ART UNIT

PAPER NUMBER

1627

DATE MAILED: 09/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,585	01/13/2000	David G. Hangauer JR.	19226/931 (R-5495)	7206

7590
Michael L. Goldman
Nixon Peabody LLP
Clinton Square
P. O. Box 1051
Rochester, NY 14603

08/22/2002

EXAMINER

FRIEND, TOMAS H F

ART UNIT

PAPER NUMBER

1627

DATE MAILED: 08/22/2002

Remailed 9/30/02

Please find below and/or attached an Office communication concerning this application or proceeding.

*Restarted 9/30/02 due to
return mail. Address was
incorrect in the system.
B. Gray
9/29/02*



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT	PAPER
----------	-------

15

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Applicant's Raw Sequence Listing and CRF submitted on 16 March 2001 has been received but the application is not in conformance with the sequence rules for the following reasons:

1. The specification has not been amended to identify all applicable sequences by their SEQ I.D. Nos (see, for example, page 20, line 4).
2. The sequence found on page 73, line 1, of the specification was not included in the sequence listing and does not have a corresponding SEQ I.D. No.

Applicant is given **ONE MONTH, or THIRTY DAYS**, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CAR1.821 - 1.825. Failure to comply with these requirements will result in **ABANDONMENT** of the application under 37 CAR1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CAR1.136(a).

In no case may an applicant extend the period for reply beyond the **SIX MONTH** statutory period as measured from the first Letter sent 30 January 2001.

Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Friend, tel. (703) 308-4548. The examiner can normally be reached on Monday, Tuesday, Friday, and Saturday from 8:00 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane, can be reached at (703) 308-2439. The FAX phone number for group 1600 is (703) 872-9306. Any inquiry of a general nature or relating to the status of the application should be directed to the group receptionist whose telephone number is (703) 308-1235.


JOSEPH K. MCKANE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600

Tomas Friend, Ph.D.
August 15 2002

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Please see the attached communication.

Applicant Must Provide:

- ☒ ~~An initial or~~ substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ ~~An initial or~~ substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY